

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office OCT 15 1993

Returned to applicant for correction

Corrected application filed Map filed OCT 15 1993

The applicant Milchem, Incorporated

P.O. Box 277 of Battle Mountain
Street and No. or P.O. Box No. City or Town

Nevada 89820 hereby make application for permission to change the
State and Zip Code No.

manner of use and the place of use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 44640
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed .2 c.f.s.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for irrigation proposes
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for mining, milling, and domestic purposes
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point within the NW 1/4 NW 1/4 of Section 20,
Describe as being within a 40-acre subdivision of public survey and by course and

T.37N., R.42E., M.D.B. & M., or at a point from which the NW
distance to a section corner. If on unsurveyed land, it should be stated.

corner of said Section 20 bears N 62° 20' 19" W a distance of
1214.80 feet.

6. The existing permitted point of diversion is located within the NW 1/4 NW 1/4 of Section 20, T.37N.,
If point of diversion is not changed, do not answer.

R.42E., M.D.B. & M., or at a point from which the NW corner of said

Section 20 bears N 62° 20' 19" W a distance of 1214.80 feet.

7. Proposed place of use That portion of Section 19, T.37N., R.42E., M.D.B. & M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

that lies south of the State Highway Route 18 right-of-way

(also known as Route 789) being 217.19 acres more or less.

8. Existing place of use A portion of the E 1/2 of Section 12, T.37N., R.41E.,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

M.D.B. & M.
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1st to December 31st of each year.
Month and Day Month and Day

10. Use was permitted from January 1st to December 31st of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) install additional pipeline and
State manner in which water is to be diverted, i.e. diversion structure.

irrigation system
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works in excess of \$5000

13. Estimated time required to construct works 3 years. Well has been completed.

14. Estimated time required to complete the application of water to beneficial use.....5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

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Compared.....gkl/jv.....pm/vjw

Protested.....

By.....Desert-Mountain Surveying as Agent
By John H. Milton III, P.L.S., SWRS
s/ John H. Milton III
146 West Second Street
Winnemucca, NV 89445

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use and manner of use of the waters of an underground source as heretofore granted under Permit 44640 is issued subject to the terms and conditions imposed in said Permit 44640 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 59315, 59316 and 59317 shall not exceed 868.74 acre-feet annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....0.2.....cubic feet per second, but not to exceed 144.79 acre-feet annually, and to not exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before.....January 14, 1995

Proof of completion of work shall be filed before.....February 14, 1995

Application of water to beneficial use shall be made on or before.....January 14, 1996

Proof of the application of water to beneficial use shall be filed on or before.....February 14, 1996

Map in support of proof of beneficial use shall be filed on or before.....February 14, 1996

JUN 18 1996

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this.....12th.....day of.....August.....

A.D. 19.....96

[Signature]
State Engineer

WITHDRAWN BY *[Signature]* JAN 05 2000
[Signature] Agent
portion being 65.81 acre feet
Abrogated By 69737 0.2